

310

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI

FILED

DATE: October 28, 2009
4:55 O'Clock P.M.
JEANNE HICKS, CLERK
BY: Rachel Roehe
Deputy

DIVISION: 6

JEANNE HICKS, CLERK

HON. THOMAS B. LINDBERG

By: Rachel Roehe, Deputy Clerk

CASE NO. P1300CR20081339

DATE: October 28, 2009

TITLE:

COUNSEL:

STATE OF ARIZONA

Yavapai County Attorney

(Plaintiff)

(For Plaintiff)

vs.

STEVEN CARROLL DEMOCKER

John Sears

(D-1)

107 North Cortez Street, Suite 104
Prescott, AZ 86301

Larry Hammond

Anne Chapman

OSBORN MALEDON, P.A.

2929 North Central Avenue, 21st Floor
Phoenix, AZ 85012

(For Defendant)

HEARING ON:

NATURE OF PROCEEDINGS

COURT REPORTER

Continued Evidentiary Hearing / Oral Argument / Chronis Hearing

Roxanne Tarn

START TIME: 10:11 a.m.

APPEARANCES: Joseph Butner, Deputy County Attorney
Steven DeMocker, Defendant
John Sears, Counsel for Defendant
Larry Hammond, Counsel for Defendant

The Court states that it has received the Motion for Reconsideration of Chronis testimony. The Motion is **DENIED.**

Philip Keene, having been previously sworn, resumes the witness stand and testifies further.

Exhibit 50 is admitted into evidence without objection.

Exhibit 51 is admitted into evidence over objection.

Exhibit 28 is admitted into evidence without objection.

Exhibit 67 is admitted into evidence without objection.

Exhibit 68 is admitted into evidence without objection.

~*~*~*~*~ Recess – 11:03 a.m. ~*~*~*~*~

At 11:15 a.m., Court reconvenes with the presence of all parties previously present.

Philip Keene resumes the witness stand and testifies further.

The witness is released from his subpoena.

~*~*~*~*~ Recess – 12:01 p.m. ~*~*~*~*~

At 1:34 p.m., Court reconvenes with the presence of all parties previously present.

Steve Page is sworn and testifies.

Exhibits 69 through 77 are admitted into evidence over objection.

Exhibit 78 is admitted into evidence over objection.

Exhibit 79 is admitted into evidence over objection.

Exhibit 80 is admitted into evidence over objection.

Exhibit 83 is admitted into evidence over objection.

Exhibit 90 is admitted into evidence over objection.

Exhibit 87 is admitted into evidence over objection.

Exhibits 30 through 48 and 53 through 66 are offered. Defense Counsel objects.

~*~*~*~*~ Recess – 2:21 p.m. ~*~*~*~*~

At 2:29 p.m., Court reconvenes with the presence of all parties previously present.

Steve Page testifies further.

The objection is sustained. Exhibits 30 through 48 and 53 through 66 are not admitted.

Exhibits 30 through 48 and 53 through 66 are reoffered. Defense Counsel objects.

Exhibit 30 is admitted into evidence over objection.

With regard to Exhibits 31, 32 and 33 the objection is sustained and the exhibits are not admitted.

~*~*~*~*~ Recess – 2:45 p.m. ~*~*~*~*~

At 2:54 p.m., Court reconvenes with the presence of all parties previously present.

Steve Page testifies further.

Upon stipulation of counsel, Exhibits 61 and 62 are withdrawn.

Exhibits 34 through 48, Exhibits 53 through 60 and Exhibits 63 through 65 are admitted over objection.

~*~*~*~*~ Recess – 3:08 p.m. ~*~*~*~*~

At 3:19 p.m., Court reconvenes with the presence of all parties previously present.

Steve Page testifies further.

Defense counsel requests to exclude some of the testimony of Steve Page. The Motion is **DENIED**.

The witness is excused.

Douglas Brown is sworn and testifies.

Upon request of the State, the Court takes judicial notice of this witness's prior testimony.

Continued Hearing is set for **October 29, 2009, at 2:00 p.m.** in this Division.

END TIME: 4:55 p.m.

cc: VS (e)
Division 6
Dean Trebesch (Contract Administrator) (PD) (e)
YCSO (e+)